

**ENVIRONMENTAL APPEALS BOARD
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C.**

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In re Ocean Era, Inc.	)	NPDES Appeal Nos. 25-01, 25-02
	)	
NPDES Permit No. FL0A00001	)	
	)	
	)	

**ORDER GRANTING UNOPPOSED MOTIONS FOR EXTENSION OF TIME
 AND TO FILE A CONSOLIDATED RESPONSE**

Petitioners Center for Food Safety, Recirculating Farms Coalition, Tampa Bay Waterkeeper, Suncoast Waterkeeper, Healthy Gulf, Sierra Club, and Food & Water Watch filed a joint Petition for Review (NPDES Appeal No. 25-01) and Petitioner Friends of Animals filed a separate Petition for Review (NPDES Appeal No. 25-02) challenging the same National Pollutant Discharge Elimination System Permit issued to Ocean Era, Inc. Respondent U.S. Environmental Protection Agency Region 4 now seeks an extension of the deadlines to respond to the two Petitions and authorization to file a single consolidated response brief. Unopposed Motion for Extension of Time and Authorization to File a Consolidated Response, NPDES Appeal No. 25-01, at 1-2 (June 25, 2025); Unopposed Motion for Extension of Time and Authorization to File a Consolidated Response, NPDES Appeal No. 25-02, at 1-2 (June 25, 2025) (collectively “Motions”). For the reasons set forth below, the Board grants the Motions.

In support of the Motions, Region 4 states that the Region will need to simultaneously respond to both Petitions and that the Petitions raise numerous issues. Motions at 1-2. The Region further notes that two holidays fall within the response period and that EPA team

members had previously arranged vacations during that time period. *Id.* at 2. The Region states that it conferred with counsel for the Petitioners and that Petitioners do not object to the granting of the extension or authorization to file a consolidated response, subject to Petitioners' preservation of their right to file separate replies. *Id.*

Based on the Region's representations, the Board hereby **GRANTS** the Motions. *See* 40 C.F.R. § 124.19(n). Respondent EPA Region 4 may file its consolidated response to the Petitions for Review in NPDES Appeal Nos. 25-01 and 25-02 on or before **Friday, August 15, 2025**. The consolidated response brief must comply with the length limitation set forth in 40 C.F.R. § 124.19(d)(3), unless otherwise ordered by the Board. On or before the same date, the Region must file a certified index of the administrative record and the relevant portions of the administrative record. 40 C.F.R. § 124.19(b)(2). The Region must file the consolidated response brief, certified index, and relevant portions of the administrative record through the Board's electronic filing system for each of the two appeal numbers. The deadlines for all other briefs authorized under 40 C.F.R. § 124.19(b) are also extended to **Friday, August 15, 2025**. Such briefs may also consolidate responses to the two petitions, provided that they comply with the other requirements of this order.

So ordered.

Dated: June 27, 2025

ENVIRONMENTAL APPEALS BOARD

By: 

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Unopposed Motions for Extension of Time and to File a Consolidated Response* in the matter of Ocean Era, Inc., NPDES Appeal Nos. 25-01 & 25-02, were sent to the following persons in the manner indicated:

By Email:

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Dated: Jun 27, 2025

Annette Duncan

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Administrative Specialist